

1                                   BEFORE THE BOARD OF MEDICAL EXAMINERS  
2                                   IN THE STATE OF ARIZONA

3  
4 In the Matter of

5 **STANLEY E. DAVIS, M.D.**

6 Holder of License No. 10488  
7 For the Practice of Medicine  
In the State of Arizona.

Case No. MD-98-0625

**CONSENT AGREEMENT FOR A  
LETTER OF REPRIMAND**

8                                   **CONSENT AGREEMENT**

9           By mutual agreement and understanding, between the Arizona Board of Medical  
10 Examiners (Board) and Stanley E. Davis, M.D. (Respondent) the parties agree to the  
11 following disposition of this matter.

12           1.     Respondent acknowledges that he has read this Consent Agreement and  
13 the stipulated Findings of Fact, Conclusions of Law and Order; and, he is aware of and  
14 understands the content of this document.     Respondent acknowledges that he  
15 understands he has the right to consult with legal counsel regarding this matter and has  
16 done so or chooses not to do so.

17           2.     Respondent understands that by entering into this Consent Agreement for  
18 the issuance of the foregoing Order, Respondent voluntarily relinquishes any rights to a  
19 hearing or judicial review in state or federal court on the matters alleged or to challenge  
20 this Consent Agreement and the Order in its entirety as issued by the Board and waives  
21 any other cause of action related thereto or arising from said Order.

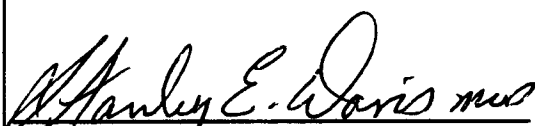
22           3.     Respondent acknowledges and understands that this Consent Agreement  
23 and the Order will not become effective until approved by the Board and signed by its  
24 Executive Director.  
25

1           4. All admissions made by Respondent are solely for final disposition of this  
2 matter and any subsequent related administrative proceedings or civil litigation involving  
3 the Board and Respondent. Therefore, said admissions by Respondent are not intended  
4 or made for any other use, such as in the context of another state or federal government  
5 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or  
6 any other state or federal court.

7           5. Respondent acknowledges and agrees that, upon signing this agreement,  
8 and returning this document (or a copy thereof) to the Board's Executive Director,  
9 Respondent may not revoke his acceptance of the Consent Agreement and Consent  
10 Order or make any modifications to the document, although the Consent Agreement has  
11 not yet been accepted by the Board and issued by the Executive Director. Any  
12 modifications to this original document are ineffective and void unless mutually approved  
13 by the parties.

14           6. Respondent further understands that this Consent Agreement and Order,  
15 once approved and signed, shall constitute a public record document, which may be  
16 publicly disseminated as a formal action of the Board.

17           7. If any part of the Consent Agreement and Order is later declared void or  
18 otherwise unenforceable, the remainder of the Order in its entirety shall remain in force  
19 and effect.

20  
21   
22 Stanley E. Davis, M.D.

Dated: June 9, 2001

23  
24 **FINDINGS OF FACT**

25           1. The Board is the duly constituted authority for the regulation and control of  
the practice of allopathic medicine in the State of Arizona.

2. Stanley E. Davis, M.D. (Respondent) is the holder of license number 10488 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-98-0625 upon receiving notice of Respondent's arrest for driving under the influence of alcohol on August 4, 1998.

4. In an Interim Order, dated December 15, 1998, the Board ordered Respondent to undergo a complete history and physical examination, psychiatric evaluation and psychometric testing by Board appointed evaluators within 60 days.

5. On December 29, 1998, Respondent entered into a Stipulation for Interim Order of Probation with the Board. The Interim Order required Respondent to abstain from alcohol for six months and undergo biological fluid testing for six months. Respondent was also required to obtain a primary care physician, who would be his sole prescribing physician.

6. On March 6, 1999, Respondent tested positive for pseudoephedrine, which was not listed by Respondent as having been taken or prescribed by his primary care physician.

7. On May 17, 1999, Respondent was tardy in providing a urine specimen and provided false information to Board staff as to the reason for his tardiness. The specimen tested positive for Halcion. Respondent failed to list Halcion as having been taken or prescribed by his primary care physician.

8. The evaluations conducted revealed no evidence of alcohol dependency.

#### **CONCLUSIONS OF LAW**

1. The Board possesses jurisdiction over the subject matter hereof and over Stanley E. Davis, M.D. (Respondent).

2. The conduct and circumstances described above in paragraph 5 constitute unprofessional conduct pursuant to A.R.S. § 32-1401(25)(jj) (Knowingly making a false or

misleading statement to the board or on a form required by the board or in a written correspondence, including attachments, with the board).

3. The conduct and circumstances described above in paragraphs 4 to 5 constitute unprofessional conduct pursuant to A.R.S. § 32-1401(25)(r)(Violating a formal order, probation, consent agreement or stipulation issued or entered into by the board or its executive director under the provisions of this chapter).

**ORDER**

**IT IS HEREBY ORDERED THAT:**

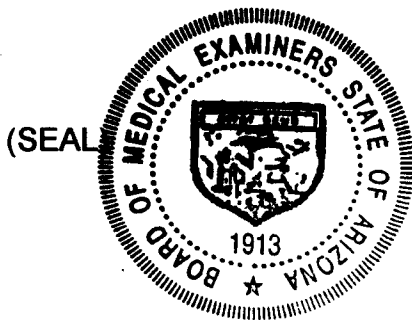
1. Stanley E. Davis is issued a Letter of Reprimand for knowingly making a false or misleading statement to the Board and for violating a Board order.

2. This Order terminates the December 29, 1998, Stipulation for Interim Order of Probation.

3. This Order is final disposition of case number MD-98-0625.

DATED and effective this 22 day of June, 2001.

**BOARD OF MEDICAL EXAMINERS**



By

*Tom Adams*  
CLAUDIA FOUTZ  
Executive Director  
TOM ADAMS  
Deputy Director

ORIGINAL of the foregoing filed this 22 day of June, 2001 with:

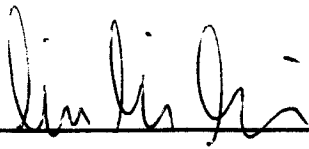
The Arizona Board of Medical Examiners  
9545 E. Doubletree Ranch Road  
Scottsdale, AZ 85258

1 EXECUTED COPY of the foregoing mailed by  
2 Certified Mail this 22 day of June, 2001 to:

3 Stanley E. Davis, M.D.  
4 26609 N. 43<sup>rd</sup> St.  
Cave Creek, AZ 85331-2662

5 EXECUTED COPY of the foregoing  
6 hand-delivered to each of the following  
this 22 day of June, 2001, to :

7 Christine Cassetta, Assistant Attorney General  
8 Sandra Waitt, Management Analyst  
9 Lynda Mottram, Compliance Officer  
Arizona Board of Medical Examiners  
10 9545 E. Doubletree Ranch Road  
Scottsdale, AZ 85258

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